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NO. 4.

NORTH CAROLINA LEGISLATURE.

[REPORTED EXPRESSLY FOR THE JOURNAL.]

SENATE.

MONDAY, Feb. 19, 1866.

JEFFERSON COUNTY. Mr. Keener presented a memorial from citizens of Cherokee county, praying for a new county to be called Jefferson. Referred to the committee on propositions and

CAPE FEAR NAVIGATION COMPANY. The engressed resolutions authorizing certain proceed- tled to all the benefits of the provisions of the above reings against the Cape Fear Navigation Company passed cited acts.] their third reading, and were ordered to be enrolled. (They will be published in full to-morrow.)

Several bills passed their second reading, which will be reported on the final action. COMMISSIONERS OF NAVIGATION.

navigation was rejected. SALARIES AND FEES,

The House bill to regulate salaries and fees came up for consideration on its second reading. Public Treasurer \$3,000 instead of \$2,500, and it was

Mr. Jones also moved to give the Private Secretary to the Governor \$1,000 and fees, instead of \$500 and fees. Mr. Ferebee opposed the amendment, as he regarded the duties of this officer merely clerical, and the amount proposed in the bill, with the fees allowed him, amply repaid him for the duties he was required to perform. the amendment.

The amendment prevailed. Mr. Leitch of Robeson, moved to amend by fixing the legislature to decrease the salaries of these officers. The amendment did not prevail. Mr. Shober moved to amend by fixing "thirty dollars"

instead of "twenty dollars." Adopted. Mr. Bogle proposed to increase this to forty dollars, but

Mr. Shober also moved that "fifty per cent. in addition Mr. Coving ton proposed to reduce this to "forty per cent,

but it was rejected. Ar, Carter moved to add to the first section the follow-

Provided, That the salaries and fees herein after fixed States, and may be hereafter reduced by the general as- five per cent. in addition to the fees now allowed .sembly, but this reduction shall not be below the present | Adopted relative value of gold to said currency, and shall in that case be payable in gold;" and it was adopted.

iving a messenger to the governor, with a salary of \$400. Mr. Bogler moved to give him \$500, and it prevailed, and Mr. Arendell's amendment as amended, was adopted. The bill then passed its second reading by a vote of ceas IS, navs I3 Mr. Jones of Columbus, moved to suspend the rules, to

place the bill on its third reading, but the senate refused ARREARAGES OF TAXES.

ford; George Dill, late sheriff of Carterett, and A. C. La- lent. tham, late sheriff of Craven, to collect arrearages of taxes for the years 1859, '60 and '61, passed its several readings and was ordered to be engressed. CITY OF WILMINGTON

The bill to incorporate the inhabitants of the town of Wilmington, transmitted from the house, under a suspension of the rules, on motion of Mr. Hall, passed to its en-

Several engrossed bills had their first reading, which will be noticed when they come up for consideration. The senate adjourned.

HOUSE OF COMMONS.

Monday, Feb. 19, 1866. The house was called to order at 10 o'clock, a. m. Prayer by the Rev. J. M. Atkinson of the Presbyterian | Winstead.

The journal of Saturday was read and approved. Mr. Hoke presented the pension certificate of one Dandel Tucker of Lincoln county. Referred to the committee Mr. Blackmer, from the judiciary committee, reported a

a substitute for sundry bills heretofore referred to said

Mr. Waugh introduced a resolution authorizing the principal clerk of the house to collect and arrange the papers belonging to his office, appropriating \$100 for the purpose

EILLS INTRODUCED.

Mr. Logan introduced a bill to amend and act incorporating Sulphur Springs camp ground, in Cleveland county, Mr. Jenkins of Granville, for the committee on education, reported "a bill for the benefit of the public schools," as a substitute for bills referred.

A bill to extend the time allowed widows to enter dis-

sent to their husband's wills," passed 2nd and 3rd read- three.

A bill to authorise the construction of a toll bridge over the Catawba river, near the Rock Island Factory; a resolution in favor of Drury King; a bill to punish persons pursuing and injuring horses or other live stock with in- the part of the House, and two on the part of the Senate, and or stealing anything therefrom; a bill to recharter can adjourn without detriment to the public business." the Hiwasse Turnpike Company; a bill to punish vagraney; a bill to prevent enticing servants from fulfilling their contracts or harboring them; a bill to secure to agricultural laborers their pay in kind; a bill more effectually to secure the maintenance of bastard children and the payment of fines and costs on conviction in criminal cases; a

peal so much of the Stay Law as requires executors to give security; a bill to incorporate Stokes Lodge, Free and in that body. Accepted Masons, in the town of Concord; a bill to incorporate Little River Select School and a bill to establish work houses or houses of correction in the several counties of the state, severally passed their third reading. A bill to I galize the transfer of registered bonds of this state to bearer, also passed its third reading.

A bill for the relief of guardians, trustees, executors, administrators, and others acting in a fiduciary capacity; and a bill in relation to the distribution of the literary fund, were rejected on the second reading. The general bill reported this morning, for the relief of

sheriffs and tax collectors, passed its second reading. A message was received from the senate transmitting a bill to authorize the appointment of a tax collector in the county of Lenoir, and a resolution to authorize the printing of the acts passed in secret session at the sessions of the general assembly for the years 1862-'63-'64 and '65. This resolution was put on its second reading.

Mr. Jenkins of Warren, moved an indefinite postpone-Messrs, Kinney, Waugh, Blythe, Craig, McDonald and Thompson, opposed the motion. Messrs. Hyman, McNair, McAden and Moore of Martin.

urged the postponement. The question recurring, the year and nays were ordered. on motion of Mr. Jenkins of Warren. The house refused to postpone indefinitely as follows: Yeas 39; Nays 50. ir. Smith of Hertford, moved a reference of the rese lation to the indiciary committee.

The House refused to refer, year 44, nays 41; the speakor giving the easting vote in the negative. Mr. Hutchison moved that the resolution be made the special order for 11 o'clock, A. M., on Wednesday next.

Not agreed to, yeas 40, nays 47. Mr. Jenkins of Warren, moved that the resolution be made a special order for 11 o'clock, A. M., to-morrow. Not agreed to, yeas 40, nays 48. Mr. McNair moved a reference of the resolution to a select committee of three. Not agreed to, yeas 38, nays 48.

Mr. Marler moved that the House adjourn. Not agreed morrow. to, yeas 27, nays 57. Mr. Jenkins of Warren, moved that the resolution be referred to a special committee of five. Not agreed to,

Mr. Gidney moved that the House adjourn. Not agreed to, yeas 35, navs 59, The question recurring on the passage of the resolution on its second reading, it passed, yeas 48, navs 36. The House then adjourned until 10 o'clock to-morrow.

SENATE.

Tuesday, Feb. 20th, 1866. Prayer by the Rev. N. B. Cobb, of the Baptist church.

N. C. R. R. AND A. & N. C. R. R. Mr. Arendell introduced a bill to consolidate the North Carolina rail road company, and the Atlantic and North Carolina rail road company. Referred to the judiciary.

up for consideration. SOLICITOR FOR THE 6TH DISTRICT. On motion of Mr. Cowles, a message was sent to the house

proposing to go forthwith into an election for Solicitet for Mr. Cowles nominated W. P. Caldwell of Iredell county. Mr. Shober nominated D. M. Furches of Davie county. Mr. Williams nominated A. J. Dargan of Anson county. The house subsequently refused to concur.

BOARD OF NAVIGATION. On motion of Mr. Carter, the vote by which the Senate rejected the bill to establish a Board of Commissioners of Savigation, was reconsidered and the bill laid on the table. The following bills being read the third-time, passed and

were ordered to be engrossed, viz: ORIGINAL JURISDICTION OF THE SUPREME COURT. Mr. Morehead's bill to give original jurisdiction to the an amendment, was adonted.

other cases: provided, however, that an appeal or writ of error to the Supreme Court of the United States shall be Mr. Wilson a allowed to either party in such cases.] RELIEF OF LANDLORDS.

Mr. Whitford's bill for the relief of landlords. [The bill extends the act of 26th January, 1862, and amended Prayer by Rev. J. M. Atkinson, of the Presbyterian 28th May, 1864, to all cases where grants and leases have been made of lands heretofore claimed as abandoned lands, under any orders of the Treasury department of the United States, or of the Bureau of Refugees, Freedmen and Abandoned Lands, or of any officer of either of them. And upon the restoration of said lands, the said grants or leases have been or may be assigned or transferred by either of the said departments, or any officer thereof. And the assignees and transferees shall be enti-

INDICTMENTS IN COURTS OF OYER AND TERMINER. Mr. Shober's bill concerning indictments in Courts of Over and Terminer. [Provides that all bills of indictments found, but not disposed of, at the several Courts of Over and Terminer recently held in the State, shall be held to Engrossed bill to establish a board of commissioners of trial respectively at the next regular term of the Superior Court of the several counties, as if the bills had been found at the regular term of the Superior Court.

GOVERNOR'S MANSION. Mr. Winstead's resolutions making appropriation for the Mr. Jones of Columbus, moved to amend by giving the Governor's residence. (Appropriate \$8,000 for repairing and refitting the residence of the Governor.)

TAXES OF 1865. Mr. Wiggins' bill to provide for the collection of taxes of 1865, in counties, where no sheriff or other officer was qualified under the revenue ordinance of the convention. [Provides that the present sheriffs of such counties shall charged with the collection of the taxes imposed by Mr. Jones of Columbus, Arendell and Winstead favored | said ordinance, to be paid in at such time as may be prescribed for the next regular returns of taxes.]

COLLEGE OF AGRICULTURE AND MECHANICS. The engressed resolution, accepting a donation of lands salaries of the judges of the supreme and superior courts by the Congress of the United States, under the act apat \$3,000, instead of \$2,500. He doubted the power of the proved July 2d, 1862, passed its several readings and was ordered to be envolled. [The resolution authorizes the Governor immediately to signify to the President of the nited States and Secretary of the Department of the as the amount to be paid the attorney general and solici- Interior, the acceptance of the donation of land, thirty tors, for their attendance upon terms of the superior court, i thousand acres for each. Senater, and Representative in Congress, to be sold as directed by the act, and the proecceds invested as a perpetual fund for the endowment, support and maintenance of at least one college, when the leading object shall be, without excluding other scientific to the fees allowed by revised code," instead of fees and classical studies, and including military tactics, to merely, be paid to the attorney general and solicitors. teach such branches of learning as are related to agriculture and the mechanic arts.1

SALARIES AND FEES.

The House bill to regulate salaries and fees was read the third time. Mr. Keener moved to amend, so that the salary of the are to be regarded as payable in currency of the United secretary of state would be increased to \$1,250, and twenty-

On motion of Mr. Arendell, the following addition was made to the second section: "Clerks of the supreme as heretofore, besides the fees allowed in 102d chapter Revised Code; clerks of the superior and county courts, clerks and masters in equity, sheriffs, jurors and witnesses, fifty per cent, in addition to the fees allowed in chapter 102, Revised Code," Adopted.

salaries of judges, and rejected: By Mr. Morehead, supreme court judge \$2,500, and superior court judges \$2,500. By Mr. Hall, that the salaries of the judges shall be the

By Mr. Bogle, for all judges \$3,000. By Mr. Covington, supreme court judges \$3,000, superi-

or court judges \$2,500, and \$100 for each extra term of the superior court. By Mr. Leitch of Robeson, to strike out the clause of the bill in reference to the salaries of the judges. [Mr. Leitch contended that the Legislature had no constitutional right to diminish the salaries of these officers.] The bill then passed its third reading by a vote of 21

Those who voted in the affirmative are Messrs. Arendell, Black, Blount, Bogle, Covington, Coward, Donoho, Garner, Gash, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake, Keener, Mc-Eachern, McLean, Morchead, Morgan, Shober, Tayloe and and bill upon the table. Not agreed to.

Those who voted in the negative are Messrs. Aycock, Berry, Bullock, Cowles, Cowper, Ferebee, Gorrell, Harris of Franklin, Howard, Leitch of Robeson, Wiggins and Williams.

The Senate concurred in the resolution transmitted general bill for the relief of sheriffs and tax collectors as from the House, to raise a joint select committee to inquire and report when the two Houses can adjourn, without detriment to the public business. Messrs. Carrington and Harriss of Rutherford, were appointed the Senate branch of the committee. The Senate adjourned.

HOUSE OF COMMONS.

Tuesday, Feb. 20th, 1866. The House was called to order at 10 o'clock A. M. Prayer by the Rev. Mr. Cobb, of the Baptist church. The journal of yesterday was read and approved. On motion of Mr. Waugh, the resolution to publish the acts of the Assembly passed in secret session in the years 1862-63-64 and 65, was referred to a select committee of

ADJOURNMENT. Mr. Smith, of Columbus, introduced the following resolution, which was adopted: "Resolved, That a joint select committee of three on

ent to steal them; a bill to prevent wilful trespasses on be appointed to inquire and report when the two houses Mr. Burgess introduced a bill to authorize the construction of a toll bridge over the Pasquotank river. SOLICITOR OF THE SIXTH DISTRICT.

A message was received from the Senate proposing that the two houses proceed forthwith to elect a Solicitor for bill to incorporate Union Mining Company; a bill to re- the sixth judicial circuit, and announcing the nomination of Messrs. W. Caldwell, D. M. Furches and A. J. Dargan, Page, Palmer, Potter, Rosebro, Stilley, Teague, Thomp-

The House refused to concur. STAY LAW. The House proceeded to consider "a bill to change the inrisdiction of the courts and the rules of pleading therein," reported from the joint select committee on the stay

'The bill after some discussion and amendment, passed its second reading, and was made the special order for 11 o'clock A. M., on Friday next. ON CALENDAR. A bill to assist owners of real estate in securing the ti-

law, as a substitute for sundry bills referred to said com-

les therefor, was rejected on second reading under an adverse report from the judiciary committee. A bill to improve the law of evidence, passed second A bill to increase the tax on the manufacture of spiritu-

ons liquors was laid on the table on second reading. A bill to enable the banks of the state to close their business was put on its second reading. Mr. Thompson was surprised that the bill should have

licited any opposition. Mr. McAden moved to amend the bill by striking out Place her amid flowers, foster her as a tender of war, the question immediately presents itself of themselves. It is no more than justice to them in the 1st section the words, for the equal benefit of all plant, and she is a thing of fancy, waywardness, whether we are still engaged in war. Let us not to believe that, as they have received their freedom John Laurens, of South Carolina, Aid-de-camp to the creditors," and insert in lieu thereof the words, "according to the laws of this state relative to assignments." and something of folly—annoyed by a dew-drop, the country by declaring to the c Mr. McAden stated (in substance) that the object of this fretted by the touch of a butterfly's wing, ready industry of the country by declaring to the Ameamendment was to allow the banks to prefer home credi- to faint at the rustle of a beetle. The zephyrs are rican people and to the world that the United and soon show the world that in a condition of

Mr. Hoke opposed the amendment. The amendment was rejected and the bill passed second reading, yeas 70, nays 19. An engrossed resolution in relation to supplying maimed soldiers with artificial limbs, passed its several readings under a suspension of the rules. The House then adjourned until 10 o'clock A. M.

SENATE.

Wednesday, Feb. 21. Prayer by the Rev. Henry Hardie of the Presbyterian into the dark places of earth, awaken her ener-

EXECUTORS, GUARDIANS, &C., TO SELL FOR CASH. back the engrossed bill allowing executors, administrators inch, the stride of the stalking pestilence, when and guardians, to sell for cash, with a recommendation man, the strong and brave, shrinks away pale and

ELECTION OF SOLICITOR OF THE 6TH DISTRICT. The Senate concurred in the proposition to go forthwith with less timidity than to her bridal. In prosinto an election for Solicitor for the 6th judiciary district perity she is a bud full of imprisoned odors, wait-

and voted as follows: Those who voted for Mr. W. P. Caldwell are Messrs. Arendell, Black, Blount, Bogle, Bullock, Bypum, Carter, A number of engrossed bills were received from the Cowles, Garner, Gash, Garrell, Harriss, of Rutherford, 1s- furnace. In short, woman is a miracle, a myshouse, which were filed and will be noticed as they come bell, Jones, of Wake, Keener, Morehead, Taylor and Wil-tery.'

Those who voted for Mr. A. J. Dargan are, Messrs. Berry, Covington, Cowper, Ferebee, Hall, Hearns of Franklin, Howard, Leitch of Robeson, McEachen, McLean, Stanford, Wiggins, Williams and Winstead .- 14. The committee subsequently reported that Mr. Caldwell was elected. Caldwell 62; Dargan 55; scattering 2. INSPECTORS OF NAVAL STORES.

The House bill authorizing the county court of Cumberland to appoint inspectors of Naval Stores, passed its third reading, and was transmitted to the house, to concur in amendments. DEPRECIATION OF CONFEDERATE CURRENCY.

depreciation of Confederate Currency, was considered on its second reading. The scale reported by the minority of the committee, as Supreme Court in certain cases. [The bill provides that the Public Treesman cases. [The bill provides that the Public Treesman cases. [The bill provides that the Public Treesman cases. [The bill provides that the land and an amendment "That contracts sidered quite certain that congress will authorise fore, able to discern, in the condition of the ance of the constitutional right of representation. It is a suprementation of the suprementation of the condition of the suprementation of the condition of the conditi

Public Treasurer, and any tax-payer refusing to pay under the tax bill of the Convention, may make up a case agreed upon property, as of the 20th of May, 1861, and transfer the same to the limit so far as may tax bill of the Convention, may make up a case agreed upon property, as of the 20th of May, 1861, and if paid in Federal Currency or National Bank Notes, sary for the circulation of the south.

Supreme Court for adjudication, and if the claim shall be such payment shall be made in the value of such currency Message from the President_Veto of the President_Veto of the protection of representative in Congress from the eleven States against any citizen, the Court shall award execution as in at the gold standard of the value thereof, at the time of

Mr. Wilson advocated his amendment at length.
Mr. Howard argued to show the impractibility of the adoption of a cale, so as to do justice to different parts of

A running debate between Messrs. Carter, Wilson, How ard, Bynum, Jones of Columbus, and Covington ensued, and upon intimation of Mr. Bynum that he would on tonorrow introduce a substitute for the bill, the Senate ad-

HOUSE OF COMMONS. The House was called to order at 10 o'clock A. M.

Prayer by Rev. Henry Hardie of the Presbyterian The journal of vesterday was read and approved.

Mr. Chandler introduced a bill to amend the charter of the Asheville and Greenville Turnpike Company. (Changes the title to the Buncombe Turpike Company). Referred On motion of Mr. Waugh, a message was sent to the Senate proposing that the two Houses proceed forthwith to elect a Solicitor for the 6th Judicial Circuit. The Senate concurred, and the House voted as follows: For Mr. Caldwell, 48; for Mr. Dargan, 43; for Mr. Furches, 3; for Mr. The committee that superintended the election subse

quently reported the election of Mr. Caldwell-he having received 66 votes, Mr. Dargan 57; scattering 2. A resolution in regard to the papers belonging to the office of the clerk of the House of Commons, passed second and third readings under a suspension of the rules. [Authorizes the clerk to a range said papers, and appropriates tifty dollars for that purpose.] "A bill to regulate pleadings in courts of law," was laid on the table on second reading. "A bill to authorize the exchange of the stocks held by

the State of North Carolina in certain railroads and canals, for bonds of the State or the interest thereon now due and for other purposes," was put on its second reading Pending its consideration the House voted as above for solicitor. Mr. McAden, (by leave,) introduced a bill to authorize the chairman of the county court of Alamance county to sell real estate. Adopted. THE NEGRO.

The House, at 11 o'clock A. M., proceeded to consider the special order, viz: "A bill concerning Negroes, Indians and persons of color or of mixed blood. Sundry amendments proposed by the Judiciary commit ee (stated in a former report) were adopted. Mr. Smith of Hertford, moved to amend by inserting

after the words "persons of color," in line first, section 9 the words "not otherwise incompetent." Adopted. Mr. McNair moved that the bill be indefinitely postpo l, which was decided in the negative—yeas 27; navs 72. Mr. Hyman moved to amend by adding at the end section 9 (formerly the 11th) as follows:

Provided, That this section shall not go into effect until

ivil authority is fully and completely restored in this Messrs. Hyman and Moore of Martin, supported the Messrs. McAden and Caldwell, of Guilford, opposed as tending to emasculate the bill The amendment was modified by Mr. Hyman, at Mr. anly's instance to read as follows:

Provided, That this section shall not go into effect until jurisdiction in matters relating to freedmen, shall be fully committed to the courts of this State. Thus modified the amendment was adopted—Yeas 63; Nays 40. Mr. Niven offered an amendment to section 5, author The following amendments were severally offered to the lising the acknowledgment of marriages between persons of color to be made before justices of the peace as well as before county court clerks, as provided in said section.

On motion of Mr. Crawford, the section was furthe A bill to permit Wm. B. Campbell, late sheriff of Beau- same as before the war, and payable in gold or its equiva- aruended by extending the time for the acknowledgment of such marriages to the 1st of Sptember, 1866, striking out the word " May. Mr. Jenkins of Warren, moved to strike out sections and 6, which was not agreed to.

Adopted.

Mr. McNair moved to amend by striking out section ! in relation to negro testimony. The House refused to strike out, yeas 37, Nays 64. Mr. Jenkins, of Warren, offered the following as a sulstitute for the entire bill Be it enacted, &c., That the slaves recently emancipated

yeas, 12 nays. Mr. Cowper having called for the yeas and by the proclamation of the President or the United States, are entitled to all the rights and privileges of free negroes n the State Mr. Dargan moved an adjournment until 10 o'clock, A M. to-morrow. Not agreed to. Mr. Jenkins of Granville, moved to lay the substitute Mr. Baxter moved that the House adjourn. Not agree

> o. Yeas 30, nays 72. Mr. Jenkins of Warren, moved to postpone the further consideration of the subject until the 4th day of July next. The question then recurring upon the substitute, it was

ejected, as follows: YEAS-Messrs. Arrington, Black, Burgess, Coates, Dalby Dargan, Dickey, Farrow, Ferrell, Foster, Gidney, Hamilton, Harrison, Henry, Hilliard, Hawes, Horton, Jenkins of Granville, Jenkins of Warren, Jones, Judkins, Kenan, Leigh of Terrell, Lucas, Luke. Lyon, Marler, McDonald, McNair, Murril, Niven, Nicks, Shaw, Simmons, Smith, of

Nays-Messrs. Allison, Ashworth, Baxter, Beasley, Black mer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Cowan, Cox, Craige, Crawford, Davis, of Carterett, Dunn, Faircloth of Greene, Faircloth of Wayne, Flythe, Furr, Gains, Garland, Harper, Hodnett, Holderby, Hoke, Holmes, Houston, Hatchison Hyman, Jenkins, of Gaston, Kinney, Lee of Gates, Logan, Manly, McAden, McGuire, McIntosh, Melson, Moore of Martin, Mott, Page, Palmer, Potter, Resebro, Smith of Columbus, Smith of Guilford, Smith of Hertford, Stilley, Teague, Thompson, Trull, Wheeler, Whitley, Wilson and

Mr. McNair moved that the House adjourn. Not agreed The bill then passed its second reading as follows:

Messrs. Allison, Ashworth, Baxter, Beasley, Blackmer Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Camern, Campbell, Candler, Carson, Cowan, Cox, Crawford, Davis of Carteret, Dunn, Faircloth of Green, Faircloth of Wayne, Harper, Hawes, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins of Gaston, Kinney, Lee of Gates, Logan, Lyon, Manly, McAden, McDonald, McGuire, McIntosh, Melson, Moore of Alamance, Moore of Martin, Mott, son, Wheeler, Whitley, Wilson, Yellowley .- Yeas 54. Messrs. Arrington, Black, Burgess, Coates, Craige, Dal by, Dargan, Dickey, Farrow. Ferrell, Flythe, Foster, Gaines, Garland, Hamilton, Farrison, Henry, Hilliard, Hodnett, Holderby, Horter, Jenkins of Granville, Jenins of Warren, Jones, Juakins, Kenan, Leigh of Tyrrell. Lucas, Luke, Marler, McNair, Moore of Chatham, Murrill, Niven, Nicks, Shaw, Simmons, Smith of Cumberland, Smith of Guilford, Scoggin, Thigpen, Trull, Waugh, Wil-

liams, York .- Nays 45. Sundry engrossed bills from the Senate had their firs reading in the House. One of these entitled " a bill concerning indictments in Courts of Over and Terminer, passed its several readings under a suspension of the rules. [Renders indictments heretofore pending in Courts of Over and Terminer triable at the next term of the Superior Court of the counties in which they were severally

The House adjourned until 10 o'clock a. m., to-morrow Woman.-Mrs. Stevens, the "sweet story wri-

passage: "Woman, woman !-truly she is a miracle.-

tect, and see her, as in a related instance. for life to protect the helpless. Transplant her with the constitution of the United States. and her presence a blessing; she disputes, inch by jections. away a life of silent endurance, or goes forward abroad-pure gold, valuable but untried in the

men's Bureau Bill.

To the Senate of the United States:

nated in the senate, and has been passed by the ends. If I am correct in these views, there can why they need and should have representatives of two houses of congress, to amend an act entitled be no necessity for the enlargement of the powers their own in Congress to explain their condition, freedmen and refugees," and for other purposes. bill. Having, with much regret, come to the conclusion | The third section of the bill authorizes a gene- ately affecting themselves. While the liberty of

its becoming a law. the policy to be adopted in time of peace.

complish the end in view.

the army or from civil life; the country is to be pects. divided into districts and sub-districts, and the number of salaried agents to be employed may be and parish will create an immense patronage; the States. As eleven States are not at this time equal to the number of counties or parishes in all and the expense of the numerous officers and their represented in either branch of Congress, it would the United States where freedmen and refugees clerks, to be appointed by the President, will be seem to be his duty, on all proper occasions to

are to be found. which there is no legal supervision, by so vast a severe retrenchment number of agents as is contemplated by the bill,

acts of caprice, injustice and passion. The trials having their origin under this bill are to take place without the intervention of a jury, and without any fixed rules of law or evidence. The rules on which offences are to be "heard and determined" by the numerous agents are such rules and regulations as the president, through the war The punishment will be—not what the law declares, but such as a court marshall may think proper; which the constitution of the United States vests been declared forfeited to the Government. exclusively the judicial power of the country.

While the territory and the classes of actions and offences that are made subject to this measure are so extensive, the bill itself, should it become a law, will have no limitation in point of time, but will form a part of the permanent legislation of the country. I cannot reconcile a system of military jurisdiction of this kind with the words of the constitution, which declare that "no person ment of a grand jury, except in cases arising in the land and naval forces or in the militia when in shall enjoy the right to a speedy and public trial, the crime shall have been committed." The safeto be set aside, and, for the sake of a more vigorous interposition in behalf of justice, we are to

ter," has, somewhere, thrown off this eloquent never to be entrusted to any one man. tribunal within a state is warranted as a measure ability of the freedmen to protect and take care the fires of her heart, and mark her then. How Offences that may be committed by individuals muneration, and of establishing and maintaining her heart strengthens itself; how strong is her should not work a forfeiture of the rights of whole their own asylums and schools. It is earnestly the support of herself and children. purpose. Place her in the heat of battle, give her | communities. The country has returned, or is re- hoped that instead of wasting away, they will by a child, a bird, anything she loves or pities, to pro- turning, to a state of peace and industry, and the their own efforts establish for themselves a condirebellion is, in fact, at an end. The measure, tion of respectability and prosperity. It is certain bears a likeness of Louis XVI, set in a cluster of raising her white arms as a shield, and as her own therefore, seems to be as inconsistent with the that they can attain to that condition only through thirty-four diamonds, while the edge is surrounded blood crimsons her upturned forehead, praying actual condition of the country as it is at variance their own merits and exertions.

If, passing from general considerations, we ex-

an extension of the limit so far as may be neces- country, anything to justify an apprehension that At the time, however, of the consideration and of John Phillips, accidentally shot as a mark of the powers and agencies of the Freedmen's Bu- the passing of this bill, there was no senator or affection by his brother,"

the South in eight and force hours

freedmen and refugees during the actual continu- which are to be mainly affected by its provisions. ance of hostilities and of African servitude, will The very fact that reports were and are made now, in a time of peace and after the abolition of against the good disposition of the people of that I have examined with care the bill which origi- slavery, prove inadequate to the same proper portion of the country is an additional reason

that it would not be consistent with the public ral and unlimited grant of support to the desti- deliberation would then be free, and Congress welfare to give my approval to the measure, I re- tute and suffering refugees and freedmen, their would have full power to decide according to its turn the bill to the senate with my objections to wives and children. Succeeding sections make judgment, there could be no objection urged that provision for the rent or purchase of landed estates the States most interested had not been permitted I might call to mind in advance of these objector for freedmen, and for the erection, for their bento be heard. tions, that there is no immediate necessity for the efit, of suitable buildings for asylums and schools proposed measure. The act to establish a bureau the expense to be defrayed from the treasury of American people that there should be no taxation for the relief of freedmen and refugees, which was the whole people. The congress of the United | without representation. Great burdens have now approved in the month of March last, has not yet | States has never heretofore thought itself empow- to be borne by all the country, and we may best expired. It was thought stringent and extensive ered to establish asylums beyond the limits of demand that they shall be bourne without murmur enough for the purpose in view in time of war. the Distric of Columbia, except for the benefit of when they are voted by a majority of the repre-Before it ceases to have effect, further experience our disabled soldiers and sailors. It has never sentatives of the people. I would not interfere may assist to guide us to a wise conclusion as to founded schools for any class for our own people- with the unquestionable right of Congress to judge, not even for the orphans of those who have fallen each House for itself, "of the elections, returns, I share with congress the strongest desire to se- in the defence of the Union, but has left the care and qualifications of its own members." But that cure to the freedmen the full enjoyment of their of education to the much more competent and effi- authority cannot be construed as including the freedom and their property, and their entire in- cient control of the states, of communities, of pri- right to shut out, in time of peace, any State from dependence and equality in making contracts for vate associations, and of individuals. It has never the representation to which it is entitled by the their labor; but the bill before me contains pro- deemed itself authorized to expend the public mo- Constitution. At present, all the people of eleven visions which, in my opinion, are not warranted ney for the rent or purchase of homes for the thou- States are excluded—those who were most faithful by the constitution, and are not well suited to ac- sands, not to say millions, of the white race, who during the war not less than the others. The are honestly toiling, from day to day, for their State of Tennessee, for instance, whose authori-The bill proposes to establish, by authority of subsistence. A system for the support of indigent | ties engaged in rebellion, was restored to her Concongress, military jurisdiction over all parts of the persons in the United States was never contem- stitutional relations to the Union by the patriotism United States containing refugees and freedmen. plated by the authors of the constitution; nor can and energy of her injured and betrayed people. It would, by its very nature, apply with most force any good reason be advanced why, as a permanent Before he war was brought to a termination they to those parts of the United States in which the establishment, it should be founded for one class placed themselves in relations with the General had freedmen most abound; and it expressly extends or color of our people more than another. Pend- Government, had established a State government the existing temporary jurisdiction of the freed- ing the war many refugees and freedmen received of their own, and, as they were not included in men's bureau, with greatly enlarged powers, over support of the government, but it was never in- the emancipation proclamation, they, by their own those States, "in which the ordinary course of tended that they should thenceforth be fed, cloth- act, had amended their Constitution so as to aboljudicial proceedings has been interrupted by the ed, educated and sheltered by the United States, ish slavery within the limits of their States. rebellion." The source from which this military The idea on which the slaves were assisted to free- know no reason why the State of Tennessee, for jurisdiction is to emanate is none other than the dom was, that, on becoming free, they would be example, should not fully enjoy "all her Constitu-President of the United States, acting through the a self-sustaining population. Any legislation that tional relations to the United States. War Department and the commissioner of the shall imply that they are not expected to attain a The President of the United States stands tofreedmen's bureau. The agents to carry out this self-sustaining condition, must have a tendency wards the country in a somewhat different attitude military jurisdiction are to be selected either from injurious alike to their character and their pros- from that of any member of Congress. Each

great in the beginning with a tendency steadily to present their just claims to Congress. There al-The subjects over which this military jurisdic- increase. The appropriations asked by the Freed- ways will be a difference of opinion in the commution is to extend in every part of the United States, men's Bureau, as now established, for the year nity, and individuals may be guilty of transgression. include protection to "all employees, agents 1866, amount to \$11,745,000. It may be safely gresions of the law; but these do not constitute and officers of this bureau in the exercise of the estimated that the cost to be incurred under the valid objections against the right of a State to duties imposed" upon them by the bill. In eleven pending bill will require double that amount - representation. I would in no wise interfere with states it is further to extend over all cases affect- more than the entire sum expended in any one the discretion of Congress with regard to the ing freedmen and refugees discriminated against | year under the administration of the second qualifications of members, but I hold it my duty "by local law, custom or prejudice." In those Adams. If the presence of agents in every par- to recommend to you, in the interests of peace and eleven states the bill subjects any white person ish and county is to be considered as a war meas- in the interests of Union, the admission of every who may be charged with depriving a freedman ure, opposition, or even resistance might be pro- State to its share in public legislation, when, howof "any civil rights of immunities belonging to voked; so that, to give effect to their jurisdiction, ever, insubordinate, insurgent, or rebellious its white persons," to imprisonment or fine, or both- troops would have to be stationed within reach of people may have been, it presents itself not only without, however, defining the "civil rights and every one of them, and thus a large standing force in an attitute of loyalty and harmony, but in the immunities" which are thus to be secured to the be rendered necessary. Large appropriations persons of representatives whose loyalty cannot be freedman by military law. This military jurisdic- would, therefore, be required to sustain and en- xuestioned under any existing Constitution or tion also extends to all questions that may arise force military jurisdiction in every county or par- legal test. respecting contracts. The agent who is thus to ish from the Potomac to the Rio Grande. The exercise the office of a military judge may be a condition of our fiscal affairs is encouraging; but, clusion of any part of the country from represenstranger, entirely ignorant of the laws of the place, in order to sustain the present measure of public tation must be attended by a spirit of disquiet and and exposed to the errors of judgment to which confidence it is necessary that we practice not complaint. It is unwise and dangerous to pursue all men are liable. The exercise of power, over merely customary economy, but, as far as possible, a course of measures which will unite a very large

In addition to the objections already stated, the of the country, however much the latter may premust, by the very nature of man, be attended by fifth section of the bill proposes to take away land ponderate. The course of emigration, the developfrom its former owners without any legal proceed- ments of industry and business, and natural causes, ing being first had, contrary to that provision of will raise up at the south men as devoted to the the Constitution which declares that no person union as those of any other part of the land. But shall "be deprived of life, liberty or property if they are all excluded from Congress-if, in a without due process of law." It does not appear permanent statute, they are declared to be not in that a part of the land to which the section refers full constitution relations to the country, they may may not be owned by minors or persons of un- think they have cause to become a writ in feeling department, shall prescribe. No previous present- sound mind, or by those who have been faithful to and sentiment against the government. Under ment is required, nor any indictment charging the all their obligations as citizens of the United the political education of the American people, commission of a crime against the laws; but the States. If any portion of the land is held by such the idea is inherent and ineradicable that the con-Cumberland, Scoggins, Thigpen, Waugh, Williams and trial must proceed on charges and specifications, persons, it is not competent for any authority to sent of the majority of the whole people is deprive them of it. If, on the other hand, it be necessary to secure a willing acquiescence in legisfound that the property is liable to confiscation. and from these arbitrary tribunals there lies no even then it cannot be appropriated to public purappeal, no writ of error to any of the courts in poses until, by due process of law, it shall have the states as though they had not "been fully res-

to keep the mind of the freedmen in a state of me to inform Congress that in my own judgment.

constant and vague apprehension. Undoubtedly the freedman should be protected. but he should be protected by the civil authorishall be held to answer for a capital or otherwise ties, especially by the exercise of all the constituinfamous crime unless on a presentment or indict- tional powers of the courts of the United States entitled, but bound to assume that with the fedeand of the States. His condition is not so expos- ral courts restored, and those of the several states ed as may at first be imagined. He is in a portion in the full exercise of their functions, the rights and and that "in all criminal prosecutions the accused spared. Competition for his services from plan- aid of the military in cases of resistance to the law, ters, from those who are constructing or repairing be essentially protected against unconstitutional by an impartial jury of the State or district wherein railroads, and from capitalists in his vicinage or infringement and violation. from other states, will enable him to command guards which the experience and wisdom of ages almost his own terms. He also possesses a perfect taught our fathers to establish as securities for the right to change his place of abode, and if, there- fully armed with the powers conferred by the act protection of the innocent, the punishment of the fore, he does not find in one community or state of March, 1865, establishing the freedmen's buguilty, and the equal administration of justice, are a mode of life suited to his desires, or proper remuneration for his labor, he can move to another, where that labor is more esteemed and better re- press insurrection or to overcome obstructions to take the risk of the many acts of injustice that warded. In truth, however, each state induced the laws. would necessarily follow from an almost countless by its own wants and interests, will do what is nenumber of agents, established in every parish or cessary and proper to retain within its borders all county in nearly a third of the states of the union, the labor that is needed for the development of over whose decisions there is to be no supervision its resources. The laws that regulate supply and or control by the federal courts. The power that demand will maintain their force, and the wages would be thus placed in the hands of the presi- of the laborer will be regulated thereby. There it shall receive the sanction of an enlightened pubdent is such as in time of peace certainly ought is no danger that the exceedingly great demand lic judgment. for labor will not operate in favor of the laborer.

If it be asked whether the creation of such a Neither is sufficient consideration given to the

whether the system proposed by this bill will not, its exhibition to the public, and one citizen of gies to action, and her breath becomes a healing, amine the bill in detail, it is open to weighty ob- when put into complete operation, practically Baltimore has offered two thousand five hundred transfer the entire care, support and control of dollars for it, but the jeweler is desirous of realis-In time of war it is eminently proper that we four millions of emancipated slaves to agents, ing as much as possible for the unfortunate lady, should provide for those who are passing sud- overseers or taskmasters who, appointed at Wash- and it is, therefore, probable it may be disposed affrighted. Misfortune daunts her not; she wears | denly from a condition of bondage to a state of | ington, are to be located in every county and par- of by raffle. freedom. But this bill proposes to make the ish throughout the United States containing freed. It is a matter of history that on the arrival of Freedmen's Bureau, established by the act of men and refugees? Such a system would inevita- Col. Laurens in France, Dr. Franklin endeavored 1865 as one of many great and extraordinary mili- bly tend to a concentration of power in the exe- to persuade him not to present his petition to the ing but for the winds of adversity to scatter them tary measures to suppress a formidable rebellion, cutive which would enable him, if so disposed, to King, but the Colonel was not to be driven from a permanent branch of the public administration, control the action of this numerous class, and use his purpose, and on the occasion of the first levee with its powers greatly enlarged. I have no rea- them for the attainment of his own political ends. he walked directly up to his Majesty and handed son to suppose, and I do not understand it to be I cannot but add another very grave objection him the petition of the American congress, re-THE NATIONAL FINANCE.—Business at the north deficient for the purpose for which it passed, alhesitates white the financial policy of the govern- though at that time, and for a considerable period SHALL have at least one representative, and fixes sword which I wear may no longer be drawn in ment remains unsettled. It is urged in Washing- thereafter, the government of the United States the rule for the number to which, in future times, defence of the liberty of my country, but be inton that action upon the funding bill be taken, remained unacknowledged in most of the states each State shall be entitled. It also provides that wielded as a British subject against the monarchy and that the revenue will be ample for all purpo- whose inhabitants had been involved in the rebel- the senate of the United States SHALL be composed of France." The manly address of Col. Laurens ses, and allow a large sinking fund, if the finan- lion. The institution of slavery, for the military of two senators from each State, and adds, with had the desired effect, his mission being crowned cial scheme of the internal revenue committee be destruction of which the Freedmen's Bureau peculiar force, that no State, without its consent, with success by France advancing the material aid adopted. The amount desirable by the scheme was called into existence as an auxiliary, has shall be deprived of its equal suffrage in the sen- asked for. is estimated at five hundred millions. If such is been already effectually and finally abrogated ate. The original act was necessarily passed in the fact it is a heavier tax upon the people, but, throughout the whole country by an amendment of the absence of the States chiefly to be affected, The bill to be entitled "An act to establish a scale of if admitted, the south must be supplied with curbecause their people were contumaciously engaged and a fashionable lady? One faces the powder, rency, if crops of staples are to be made and mov- tically its eradication has received the assent and in the rebellion. Now, the case is changed, and and the other powers the face. ed. The limit to the national currency of three concurrence of most of those states in which it some, at least, of those States are attending Conhundred millions is nearly reached, but it is con- at any time had an existence. I am not, there- gress by loyal representatives, soliciting the allow-

ter, can, under any circumstances, be admitted.

or, are charged as advertisements.

'An act to establish a bureau for the relief of of the bureau, for which provision is made in the reply to accusations, and assist, by their local knowledge, in the perfecting of measures immedi-

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The principle is firmly fixed in the minds of the

member of Congress is chosen from a single dis-The appointment of an agent for every county trict or State; the President is chosen from all

> It is plain that an indefinite or permanent exsection of the country against another large section

The bill under consideration refers to certain of tored in all their constitutional relations to the There is still further objection to the bill, on United States." If they have not, let us at once grounds seriously affecting the class of persons to act together to secure that desirable end at the whom it is designed to bring relief. It will tend earliest possible moment. It is hardly necessary for uncertain expectation and restlessness, while to most of those states, so far at lest as depends upon those among whom he lives it will be a source of their own action, have already been fully restored, and are to be deemed as entitled to enjoy their constitutional rights as members of the union. Reasoning from the constitution itself, and from the actual situation of the country, I feel not only of the country where his labor cannot well be interests of all classes of the people will, with the

> Should this expectation unhappily fail, which I do not anticipate, then the executive is already In accordance with the constitution, I return

> the bill to the senate, in the earnest hope that a measure involving questions and interests so important to the country will not become a law unless, upon deliberate consideration by the people, ANDREW JOHNSON.

Washington, February 19, 1866.

A Splendid Souvenir.—A gold snuff-box, presented by Louis XVI, King of France, to Colonel cer's mission to France by order of the American congress, to negotiate a loan for his government, tors to those abroad, who had purchased their notes at too rough, the showers too heavy; and she is over- States are still in a condition of civil war. At freedom they are self-sustaining, capable of select- has been sent to a jeweler in Baltimore by a widpowered by the perfume of a rosebud. But let present there is no part of our country in which ing their own place of ow lady, one of the family descendants of Colonel real calamity come, rouse her affections, enkindle the authority of the United States is disputed.— abode, of insisting for themselves on a proper re- Laurens, who has been impoverished by the war, and who wishes to realize from it something for

The box is of pure gold, the exterior beautifully enameled, and studded with diamonds. The top with twenty-four diamonds. This valuable relie of In this connection, the query presents itself the revolution has been extensively admired since

What is the difference between a good soldier

On a tombstone in a churchyard, in Ulster, is

dent's relg.